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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

ENOCH ADAMS, JR., LEROY ADAMS,
ANDREW KOENIG, JERRY NORTON
DAVID SWAN and JOSEPH SWAN,

Plaintiffs,

v.

TECK COMINCO ALASKA INCORPORATED

Defendant.

NANA REGIONAL CORPORATION and
NORTHWEST ARCTIC BOROUGH,

Intervenors-Defendants.

Case No. A04-49 (JWS)

**JOINT NOTICE OF
SETTLEMENT**

Subject to formal approval, the parties have reached agreement on the terms of settlement of all issues presented in this litigation. They are still drafting certain of the documents necessary to effectuate their agreement, and it is still necessary to obtain signatures of the parties and the consent of certain non-parties to the litigation (for example the City of Kivalina and the Native Village of

JOINT NOTICE OF SETTLEMENT

1 Kivalina are beneficiaries of the agreement and must consent to receive funds and materials to be
2 furnished to them).

3 The parties respectfully request the Court to remove from its calendar the May 15, 2008
4 hearing before Judge Burgess and the trial scheduled to commence on May 19, 2008 before Judge
5 Sedwick.

6 The parties will file formal settlement documents as soon as possible.

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9 /S/ Luke Cole
Luke Cole
Attorney for Plaintiffs

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12 /S/ Sean Halloran
Sean Halloran
Attorney for Defendant Teck Cominco Alaska Inc.

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15 /S/ James Torgerson
James Torgerson
Attorney for Intervenor NANA Regional
16 Corporation, Inc.

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18 /S/ David S. Case, P.C.
David Case
19 Attorney for Intervenor Northwest Arctic Borough

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21 CERTIFICATE OF SERVICE

22 I hereby certify that on the 14th day of May 2008, a true and correct copy of the foregoing Joint Notice of Settlement was served,
23 via electronic mail, on the below identified parties of record:

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8 _____
/S/

9 Luke Cole
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